

FORM PTO-1390
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 22,852

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

07588.0082

U.S. APPLICATION NO.
(If known, see 37CFR1.5)

INTERNATIONAL APPLICATION NO.

PCT/GB2004/004848

INTERNATIONAL FILING DATE

November 17, 2004

PRIORITY DATE CLAIMED

November 17, 2003

TITLE OF INVENTION
THERAPEUTIC FOAM

APPLICANT(S) FOR DO/EO/US

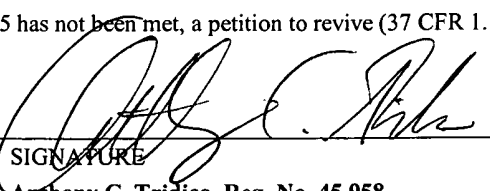
David Dakin Iorwerth WRIGHT; Anthony David HARMAN; Nikki ROBINSON; Garry HODGES; Adil KADAR

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☐ Other items or information:
 - a. ☐ Copy of cover page of International Publication No.
 - b. ☒ Copy of Notification of Missing Requirements.
 - c. ☐

U.S. APPLICATION NO. (If known, see 37CFR 1.5) 10/522,527		INTERNATIONAL APPLICATION NO. PCT/GB2004/004848		ATTORNEY'S DOCKET NUMBER 07588.0082	
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): \$300.00 National Stage Search Fee..... \$500.00 National Stage Examination Fee..... \$200.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				Applicant Use	Office Use Only
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate		
- 100 =	/50=		x 250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	23	- 20 =	3	x \$50.00	\$
Independent Claims	1	- 3 =	0	x \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$360.00	\$
TOTAL OF THE ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315					
DATED: October 10, 2006				<div style="text-align: center;">  SIGNATURE Anthony C. Tridico, Reg. No. 45,958 NAME/REGISTRATION NO. </div>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David Dakin Iorwerth WRIGHT et al.) Group Art Unit: Not yet assigned
Application No.: 10/522,527) Examiner: Not yet assigned
PCT Filing Date: November 11, 2004) Confirmation No.: 7497
For: THERAPEUTIC FOAM)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF MISSING REQUIREMENTS

In response to the communication of August 16, 2006, Applicants submit:

1. Transmittal Letter Concerning Filing Under 35 U.S.C. 371;
2. Declaration/Power of Attorney (6 pages); and
3. Copy of the Notice of Missing Requirements.

Please associate the enclosed documents with the application and grant any extensions of time required to enter this response. A previous payment of \$500.00 has been applied toward this application and therefore, the filing fee of \$130.00 under 37 CFR 1.492(h) has already been paid. However, if any additional fees are required, please charge to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 10, 2006

By: 

Anthony C. Tridico
Reg. No. 45,958